

BONADIO & Co., LLP

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FEDERAL ELECTION
COMMISSION
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1850 Winton Road South
Rochester, NY 14618-3993
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Partners:

Gerald J. Archibald, CPA
Thomas F. Bonadio, CPA
Joseph F. Hurley, CPA
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Principals:

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Kristen M. Clark, CPA
Michael J. Techidorer, CPA
Bruce B. Ziser II, CPA

February 6, 1997

Ms. Kathy Carothers
Federal Election Commission
Washington, D.C. 20463

re: Paxon for Congress 30 Day Post-General Report (10/17/96-11/25/96)

Ms. Carothers:

This letter is in response to your January 14, 1996 letter. A copy of your original letter is attached. In regards to your question on page 1, the discrepancy was corrected on the previous period's report. The amounts on this report are correct. Regarding your second question, totals were carried to line 20(d), see attached for the changes.

Regarding your third question, Jeremy Jacobs of 121 Nottingham is the son of Jeremy Jacobs of 1300 Davis Rd.. Therefore, no limits were exceeded.

Regarding your fourth question, we were just informed that the Asian American Physician Association of Western NY is not a multi-candidate committee. We have refunded the contribution, see enclosed letter and copy of the check, and our next filing will reflect this refund.

Regarding your fifth question, the checks from Rosemary Reardon and Janet Lieberman were not received until November 11, and not deposited until November 12, due to a data entry problem. Therefore, they do not fall under the 48 Hour report period.

Please call if you have any additional questions.

Very truly yours,


Roger D. Upton

**CERTIFIED PUBLIC
ACCOUNTANTS & MORE**

Internationally - Moore Stephens Bonadio, LLP
Camandagua - Rochester - Perry

DETAILED SUMMARY PAGE

of Receipts and Disbursements,

(Page 2, FEC FORM 3)

Name of Committee (in full) PAXON FOR CONGRESS		Report Covering the Period: From: 10/17/96 To: 11/25/96	
I. RECEIPTS		COLUMN A Total This Period	COLUMN B Calendar Year-To-Date
11. CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees			
(i) Itemized (use Schedule A)		46,775.00	
(ii) Unitemized		16,207.84	
(iii) Total of contributions from Individuals		62,982.84	472,315.49
(b) Political Party Committees		2,985.01	11,667.66
(c) Other Political Committees (such as PACs)		38,850.00	393,793.90
(d) The Candidate		0	0
(e) TOTAL CONTRIBUTIONS (other than loans) (add 11(a)(iii), (b), (c) and (d))		104,817.85	877,777.05
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES		0	0
13. LOANS:			
(a) Made or Guaranteed by the Candidate		0	0
(b) All Other Loans		0	0
(c) TOTAL LOANS (add 13(a) and (b))		0	0
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		0	3,624.46
15. OTHER RECEIPTS (Dividends, Interest, etc.)		0	19,345.36
16. TOTAL RECEIPTS (add 11(e), 12, 13(c), 14 and 15)		104,817.85	900,746.87
II. DISBURSEMENTS			
17. OPERATING EXPENDITURES		173,677.84	1,292,181.97
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES		0	
19. LOAN REPAYMENTS:			
(a) Of Loans Made or Guaranteed by the Candidate		0	
(b) Of All Other Loans		0	
(c) TOTAL LOAN REPAYMENTS (add 19(a) and (b))		0	
20. REFUNDS OF CONTRIBUTIONS TO:			
(a) Individuals/Persons Other Than Political Committees		250.00	3,250.00
(b) Political Party Committees		0	
(c) Other Political Committees (such as PACs)		0	
(d) TOTAL CONTRIBUTION REFUNDS (add 20(a), (b) and (c))		250.00	3,250.00
21. OTHER DISBURSEMENTS		10,000.00	11,140.10
22. TOTAL DISBURSEMENTS (add 17, 18, 19(c), 20(d) and 21)		183,927.84	1,306,572.07
III. CASH SUMMARY			
23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD		\$	133,780.64
24. TOTAL RECEIPTS THIS PERIOD (from Line 16)		\$	104,817.85
25. SUBTOTAL (add Line 23 and Line 24)		\$	238,598.49
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22)		\$	183,927.84
27. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (subtract Line 26 from 25)		\$	54,670.65



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

JAN 14 1997

Roger D. Upton, Treasurer
Paxon for Congress
1 Cambridge Place
1850 Winton Road South
Rochester, NY 14618

Identification Number: C00235523

Reference: 30 Day Post-General Report (10/17/96-11/25/96)

Dear Mr. Upton:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

①
②
③
-Column B figures for the Summary and Detailed Summary Pages should equal the sum of the Column B figures on your previous report and the Column A figures on this report. Please file an amendment to your report to correct the Column B discrepancies for Line(s) 6(c) and 7(c) and any subsequent report(s) which may be affected by this correction. Note that Column B should reflect only the year-to-date totals for the calendar year 1996. - CORRECTED w/ 4/20/96 LETTER

-Please file an amendment to your report that includes the omitted figures for Columns A and B, Line 20(d) of the Detailed Summary Page.

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which one ③
-Schedule A of your report discloses a contribution(s) which appears to exceed the limits set forth in the Act (copies attached). You should conduct a review of all of your contributions to determine the rest of the excessives that your committee may have received. As you check for additional excessives, you should review the committee's procedures for handling the receipt of contributions.

An individual or a political committee other than a qualified multicandidate committee may not make a contribution to a candidate for federal office in excess of \$1,000 per election. A qualified multicandidate committee may not make a contribution to a candidate for federal office in excess of \$5,000

per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (2 U.S.C. §441a(a) and (f); 11 CFR §110.1(b), (c) and (k))

If the contribution(s) in question was not completely or correctly reported, you should amend your original report using the new or corrected information. If the contribution(s) exceeds the limits, you should either refund to the donor the amount in excess of \$1,000 or get the donor to redesignate and/or reattribute the excessive amount in writing. All refunds, redesignations, and reattributions must be made within sixty days of receipt of the contribution. Copies of refund checks and copies of letters reattributing or redesignating the contributions in question may be used to respond to this letter. Refunds are reported on Line 20 of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR §104.8(d)(2), (3) and (4))

The acceptance of excessive contributions is a serious problem. Again, the committee's procedures for processing contributions should be examined and corrected in order to avoid this problem. Although the Commission may take further legal action, prompt action by you to refund or seek redesignation and/or reattribution of the excessive amount will be considered.

(4) -Your report discloses contribution(s) from a corporation (pertinent portion attached). A contribution from a corporation is prohibited by the Act, unless it is made from a separate segregated fund established by the corporation. (2 U.S.C. §441b(a) and 11 CFR §103.3(b))

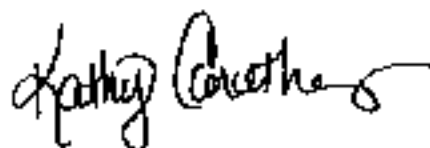
If the contribution(s) in question was not completely or correctly reported, you should amend your original report with the corrected information. If the contribution is from a corporation, you should refund the full amount to the donor and notify the Commission of such action. The refund must be made within thirty days of the treasurer becoming aware of the impermissibility of the contribution. (11 CFR §103.3(b)(2)) Copies of refund checks for the contribution(s) in question may be used to respond to this letter. The refund should be reported on a Schedule B supporting Line 20(a) of the report covering the period in which the refund is made. (11 CFR §104.8(d)(4))

Although the Commission may take further legal action, prompt action by you to refund the prohibited amount will be considered.

⑤ -Schedule A of your report indicates that your committee may have failed to file one or more of the required 48 hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-General Report. A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. Although the Commission may take legal action, any response you wish to provide concerning this matter will be considered. (11 CFR §104.5(f))

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 219-3580.

Sincerely,



Kathy Carothers
Reports Analyst
Reports Analysis Division

SCHEDULE A
Contributions from Individuals/Persons

PAGE 3 OF 14
FOR LINE NUMBER 11(a)(1)

NAME OF COMMITTEE (in full)

PAXON FOR CONGRESS

Any information copied from such Reports and Statements may not be sold or used by any person for the purposes of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
Laura Harkness 30 Gorham St. Canandaigua, NY 14424-	Renaissance II, Ltd. Owner	10/22/96	\$100.00
Receipt for [X] General	Aggregate YTD >		\$200.00
John D'Amico 45 West Ave. Geneva, NY 14456-	Retired self	10/28/96	\$100.00
Receipt for [X] General	Aggregate YTD >		\$200.00
James White 84 Highland Ave. Buffalo, NY 14222-	Self Physician	11/05/96	\$200.00
Receipt for [X] General	Aggregate YTD >		\$200.00
Louis Fuller Starlight Dr. Clarks Summit, PA 18411-1131	Genesee & Wyoming, Inc Executive	11/04/96	\$500.00
Receipt for [X] General	Aggregate YTD >		\$500.00
Mohamad Balti 33 Turnberry Dr Buffalo, NY 14221-8203	Self Physician	10/24/96	\$250.00
Receipt for [X] General	Aggregate YTD >		\$250.00
John Hurley 288 Ruskin Road Amherst, NY 14226-4256	Commercial Pipe and Suppl Businessman	10/28/96	\$100.00
Receipt for [X] General	Aggregate YTD >		\$650.00
John Hurley 288 Ruskin Road Amherst, NY 14226-4256	Commercial Pipe and Suppl Businessman	11/01/96	\$200.00
Receipt for [X] General	Aggregate YTD >		\$850.00
Jeremy Jacobs 121 Nottingham Ter Buffalo, NY 14216-3504	Delaware North Companies Sen. Exec. VP	11/01/96	\$1000.00
Receipt for [X] General	Aggregate YTD >		\$1000.00
Khalid Qazi 139 Randwood Dr Getzville, NY 14068-1336	Self Physician	10/24/96	\$250.00
Receipt for [X] General	Aggregate YTD >		\$250.00
SUBTOTAL of Receipts This Page.....	>		\$2700.00
TOTAL This Period.....	>		

SCHEDULE A
Contributions from Individuals/Persons

ITEMIZED RECEIPTS

PAGE 3 OF 16
FOR LINE NUMBER 11(a)(1)

NAME OF COMMITTEE (in Full)

DAXON FOR CONGRESS

Any information copied from such Reports and Statements may not be sold or used by any person for the purposes of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
Robert Powell 214 Carnegie Center, Ste. 301 Princeton, NJ 08540- Receipt for [X]General	Met Life Brokerage Vice President	09/19/96	\$400.00
	Aggregate YTD >		\$400.00
Jeremy Jacobs 1300 N Davis Rd East Aurora, NY 14052-9419 Receipt for [X]Primary	Delaware North Companies Chairman & CEO	08/30/96	\$1000.00
	Aggregate YTD >		\$1000.00
Jeremy Jacobs 1300 N Davis Rd East Aurora, NY 14052-9419 Receipt for [X]General	Delaware North Companies Chairman & CEO	08/30/96	\$1000.00
	Aggregate YTD >		\$2000.00
Dennis Penman 501 John James Audubon Pkway. Amherst, NY 14228- Receipt for [X]Primary	M.J. Peterson Co., Inc. Executive	09/26/96	\$200.00
	Aggregate YTD >		\$200.00
Franz Stone 10535 Main St. Clarence, NY 14031- Receipt for [X]General	Self Retired	09/27/96	\$500.00
	Aggregate YTD >		\$500.00
Thomas Bowers 1045 Lochland Rd. Geneva, NY 14456- Receipt for [X]General	Savings Bank of the Finger CEO	09/27/96	\$1000.00
	Aggregate YTD >		\$1000.00
Peter Herman 4017 Minstead Rd P.O. Box 45 Marion, NY 14505- Receipt for [X]General	Self Executive	09/17/96	\$96.00
	Aggregate YTD >		\$326.00
Peter Herman 4017 Minstead Rd P.O. Box 45 Marion, NY 14505- Receipt for [X]General	Self Executive	09/27/96	\$100.00
	Aggregate YTD >		\$426.00
Ronald Wessel 90 Scattertree Lane Orchard Park, NY 14127- Receipt for [X]General	Hart Hotels, Inc. Vice President of Enginee	09/13/96	\$300.00
	Aggregate YTD >		\$300.00
SUBTOTAL of Receipts This Page.....			\$4596.00
TOTAL This Period.....			

3298
8/30/96
\$2000

Jeremy Jacobs, Jr
121 Nottingham St
Buff 14216
Del No Companies
Sen Exec VP
\$1000 #5172
11/1/96

SCHEDULE A
Contributions from other Political Committees

PAGE 5 OF 5
FOR LINE NUMBER 11(c)

NAME OF COMMITTEE (in Full)

DAXON FOR CONGRESS

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Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
NRA Political Victory Fund Mr. Collins Spencer 410 First Street, SE 2nd Floor Washington, DC 20003-		10/17/96	\$4950.00
Receipt for [X]General	Aggregate YTD >		\$9900.00
Conservative Business Network PAC Mr. Patrick Morrissey 41 Brooktree Road Hightstown, NJ 08520-		11/07/96	\$400.00
Receipt for [X]General	Aggregate YTD >		\$400.00
Asian American Physicians of WNY Ellicott Station, P.O. Box 1323 Buffalo, NY 14205-1323		10/30/96	\$500.00
Receipt for [X]General	Aggregate YTD >		\$500.00
Home Depot Inc. Mr. Gene W. Ormond 2727 Paces Ferry Rd, Ste. 1250 Atlanta, GA 30339-		10/17/96	\$500.00
Receipt for [X]General	Aggregate YTD >		\$500.00
AMERICAN FROZEN FOOD INSTITUTE PAC Ms. Leslie G. Sarasin 2000 Corporate Ridge, Ste 1000 Mc Lean, VA 22102-4399		10/31/96	\$500.00
Receipt for [X]General	Aggregate YTD >		\$500.00
SUBTOTAL of Receipts This Page.....>			\$6850.00
TOTAL This Period.....>			\$36850.00

REPRESENTATIVE

Bill Paxton

January 23, 1997

Dr. Naresh K. Jain
Asian American Physicians of Western NY
Ellicott Station, PO Box 1323
Buffalo, NY 14205

Dear Dr. Jain:

Thank you for your Association's contribution to the Paxton for Congress Campaign.

Unfortunately, we are not allowed to accept Association contributions because Federal Regulations prohibit contributions which have been solicited from undisclosed sources or may have been received from corporate accounts. Since your check has already been deposited, I have asked our Treasurer to refund a check in the amount of \$500.00 to you.

It would be greatly appreciated, if you could re-issue a different check drawn on a personal account. For your convenience, I have enclosed a stamped reply envelope.

If I can be of further assistance or should you have any questions in regard to this matter, please do not hesitate to contact our office at 924-0550.

Again, thank you for your support and I apologize for any inconvenience.

Sincerely,



PAM BAKER
Finance Director

THE BORDERS OF THIS DOCUMENT OR FACE AND ENDOF PAPER LINES ON BACK CONTAIN MICROPRINTING, MAGNIFY TO VERIFY ORIGINAL DOCUMENT

PAXON FOR CONGRESS

c/o BONADIO & CO, LLP
1860 WINTON RD SOUTH
ROCHESTER, NY 14618

FLEET BANK
ORCHARD PARK OFFICE
ORCHARD PARK, NY 14127

10-12/220

3007

Jan 17 1997

PAY TO THE
ORDER OF

Asian American Physicians Assoc of Western NY

\$ 500.00

Five hundred 00/100

DOLLARS

refund of contribution

Brian D. Lipp

⑈003007⑈ ⑆022000127⑆ 515406387⑈

Federal Election Commission
**ENVELOPE REPLACEMENT PAGE
FOR INCOMING DOCUMENTS**

The Commission has added this page to the end of this filing to indicate how it was received.

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Records

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and/or DATE OF RECEIPT


PREPARER

2-19-97
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